UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/558,567	04/26/2000	Douglas E. Meisner	07844-374001	9484

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EXAMINER
SMITH, PETER J

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 04/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _06 February 2004_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is

closed in accordance with the practice under _Ex parte Quayle_, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-28,34 and 35_ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-28,34 and 35_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _16 March 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage

application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: amendment filed 2/6/2004, application

filed on 04/26/2000.

2.   Claims 1-28 and 34-35 are pending in the case. Claims 1, 15, 34, and 35 are independent

claims.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   **Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown**

et al. (hereafter referred to as Brown), US 5,627,959 issued 5/6/1997 in view of Cook et al.

(hereafter referred to as Cook), US 6,178,432 B1 filed 9/30/1996.

        Regarding independent claims 1 and 15, Brown teaches receiving as an input a

selection identifying a trigger event in col. 3 lines 1-28. Brown teaches receiving as an input

base visual content in col. 2 lines 58-60. Brown teaches grouping graphic objects with

allowance for multi-level groups in fig. 1-3 and col. 6 lines 27-34. Brown teaches automatically

generating visual content from the base visual content, each region of the viewing visual content

having a corresponding region in the base visual content in fig. 9-11, the abstract, and col. 13

line 21 – col. 15 line 4. Brown teaches automatically identifying a set of regions in which swap

visual content is to be displayed later by a viewing application in place of viewing visual content

when a trigger event occurs during execution of the viewing application in col. 3 lines 1-28.

Brown teaches automatically generating swap visual content in fig. 9-11 and col. 13 line 21 –

col. 15 line 4.

Brown does not explicitly teach intermediate visual content, but the multi-level graphics

grouping could be used as intermediate visual content. Furthermore, Cook teaches combining

multiple content objects triggered by events to create interactive web page content in fig. 1-2, the

abstract, col. 2 line 34 – col. 3 line 42, and col. 4 line 39 – col. 6 line 45. Cook also teaches

automatically generating visual content from the base visual content, each region of the viewing

visual content having a corresponding region in the base visual content and each region of the

intermediate visual content having a corresponding region in the viewing visual content in fig. 1-

2, the abstract, col. 2 line 34 – col. 3 line 42, and col. 4 line 39 – col. 6 line 45. Cook also

teaches automatically identifying a set of regions in which swap visual content is to be displayed

later by a viewing application in place of viewing visual content when a trigger event occurs

during execution of the viewing application in col. 3 lines 1-28. Brown teaches automatically

generating visual content in fig. 1-2, the abstract, col. 2 line 34 – col. 3 line 42, and col. 4 line 39

– col. 6 line 45.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have used the multi-level graphics grouping taught by Brown and the multi-object

interactive web page content taught by Cook to have implemented intermediate visual content to

have generated swap visual content. It would have been obvious and desirable to have classified

some of the objects as intermediate content object to have created dynamic visual content which

could have been used to have created dynamic portions of a web page in response to user trigger

events in addition to static portions of the web page. The intermediate content object combined

with the base visual content would have allowed the user to have implemented an interactive

page which would have changed content in certain areas of the page in response to user initiated

trigger events. Cook provides motivation to create a dynamic web page in response to user

initiated trigger events in col. 2 lines 10-58.

Regarding independent claim 29, Brown teaches receiving as an input a selection of a

trigger event in col. 3 lines 1-28. Brown teaches receiving as an input a selection of a trigger

region of interactive visual content associated with a trigger event in fig. 9-11 and col. 13 line 21

– col. 15 line 4. Brown teaches grouping graphic objects with allowance for multi-level groups

in fig. 1-3 and col. 6 lines 27-34. Brown teaches automatically identifying a set of swap regions

of the interactive visual content in which swap visual content is to be displayed by the viewing

application when the trigger event occurs to the trigger region in col. 3 lines 1-28. Brown

teaches automatically generating visual content in fig. 9-11 and col. 13 line 21 – col. 15 line 4.

Brown does not explicitly teach intermediate visual content, but the multi-level graphics

grouping could be used as intermediate visual content. It would have been obvious to one of

ordinary skill in the art at the time the invention was made to have used the multi-level graphics

grouping taught by Brown as intermediate visual content to generate swap visual content. It

would have been obvious and desirable to classify some of the group object as intermediate

content to create dynamic visual content which could have been easily organized, maintained,

and modified.

Regarding dependent claims 2 and 16, Brown teaches generating instructions operable

to cause a computer executing a viewing application to display swap visual content in identified

set of regions when a trigger event occurs in fig. 9-11 and col. 13 line 21 – col. 15 line 4.

Regarding dependent claims 3 and 17, Brown teaches generating interactive visual

content, the interactive visual content comprising the viewing visual content and the swap visual

content in fig. 9-11, the abstract, and col. 13 line 21 – col. 15 line 4.

Regarding dependent claims 4 and 18, Brown teaches a trigger event associated with

base visual content in col. 3 lines 1-28.

Regarding dependent claims 5 and 19, Brown teaches providing a content division

structure that divides the viewing visual content into a plurality of sections in fig. 1-3. Brown

teaches automatically identifying sections of visual content in which swap visual content is to be

displayed by a viewing application when a trigger event occurs in col. 4 lines 6-19.

Regarding dependent claims 6 and 20, Brown teaches providing a content division

structure that divides the viewing visual content into a plurality of sections, and wherein each

section of the viewing visual content has a corresponding section in the base visual content in

fig. 1-3 and col. 6 lines 27-34.

Regarding dependent claims 7 and 21, Brown teaches generating a viewing image file

for each section of viewing visual content in fig. 1-3, col. 5 line 60 – col. 6 line 17, and col. 6

lines 27-34.

Regarding dependent claims 8 and 22, Brown teaches visual content including a

plurality of sections, each section of the visual content having a corresponding section of base

visual content in fig. 1-3, col. 5 line 60 – col. 6 line 17, and col. 6 lines 27-34.

Regarding dependent claims 9 and 23, Brown teaches determining, for each section of

visual content, if the corresponding section of base visual content visually differs from that

section of the intermediate visual content in fig. 1-3, col. 5 line 60 – col. 6 line 17, and col. 6

lines 27-34. The procedure associated with the graphical object could have been used to have

determined how graphical object compared to another graphical object.

Regarding dependent claims 10 and 24, Brown teaches a pixel-by-pixel comparison is

performed in order to determine, for each section of the visual content, if the corresponding

section of the base visual content visually differs from that section of the visual content in fig. 1-

3, col. 5 line 60 – col. 6 line 17, and col. 6 lines 27-34.

Regarding dependent claims 11 and 25, Brown teaches calculating an intermediate

checksum for a section of visual content, calculating a base checksum for the corresponding

section of base visual content, and if the intermediate checksum differs from the base checksum,

identifying the section of the viewing visual content associated with that section of the visual

content as a section in which swap visual content is to be displayed by the viewing application

when a trigger event occurs in fig. 9-11 and col. 13 line 21 – col. 15 line 4.

Regarding dependent claims 12 and 26, Brown teaches generating, for each section of

visual content that visually differs from the corresponding section of base visual content, a swap

image file derived from that section of the visual content in fig. 1-3, col. 5 line 60 – col. 6 line

17, and col. 6 lines 27-34.

Regarding dependent claims 13 and 27, Brown teaches providing a content division

structure that divides the viewing visual content into a plurality of sections and generating

instructions operable to cause a computer executing the viewing application to display sections

of viewing visual content in a table in fig. 1-3 and col. 4 lines 6-19.

Regarding dependent claims 14 and 28, Brown teaches providing a user interface

enabling a designer to edit intermediate visual content as an integral unit in col. 5 lines 1-17.

Regarding dependent claim 30, Brown teaches generating instructions operable to

cause a computer executing a viewing application to display swap visual content in identified

regions when a trigger event occurs in fig. 9-11 and col. 13 line 21 – col. 15 line 4.

Regarding dependent claim 31, Brown teaches receiving as an input base visual content

in col. 2 lines 58-60. Brown teaches automatically generating viewing visual content from the

base visual content for display by a viewing application in fig. 9-11 and col. 13 line 21 – col. 15

line 4.

Regarding dependent claim 32, Brown teaches a trigger event associated with base

visual content in col. 3 lines 1-28.

Regarding dependent claim 33, Brown teaches providing a content division structure

that divides the viewing visual content into a plurality of sections in fig. 1-3. Brown teaches

automatically identifying sections of visual content in which swap visual content is to be

displayed by a viewing application when a trigger event occurs in col. 4 lines 6-19.

Regarding independent claim 34, Brown teaches receiving as an input a selection

identifying a rollover event in col. 3 lines 1-28. Brown teaches receiving as an input base visual

content in col. 2 lines 58-60. Brown teaches generating viewing visual content from the base

content for display by a viewing application in fig. 9-11, the abstract, and col. 13 line 21 – col.

15 line 4. Brown teaches providing a content division structure that divides the viewing content

for display by a viewing application in fig. 1-3 and col. 2 line 32 – col. 3 line 28. Brown teaches

generating a viewing image file for each section of viewing visual content in fig. 1-3, col. 5 line

60 – col. 6 line 17, and col. 6 lines 27-34. Brown teaches determining, for each section of the

visual content, if the corresponding section of the base visual content visually differs from that

section of the visual content in fig. 1-3, col. 5 line 60 – col. 6 line 17, and col. 6 lines 27-34.

Brown teaches automatically generating swap visual content in fig. 9-11 and col. 13 line 21 –

col. 15 line 4.

Brown does not explicitly teach intermediate visual content, but the multi-level graphics

grouping could be used as intermediate visual content. Furthermore, Cook teaches combining

multiple content objects triggered by events to create interactive web page content in fig. 1-2, the

abstract, col. 2 line 34 – col. 3 line 42, and col. 4 line 39 – col. 6 line 45. Cook also teaches

generating viewing visual content from the base content for display by a viewing application in

fig. 1-2, the abstract, col. 2 line 34 – col. 3 line 42, and col. 4 line 39 – col. 6 line 45. Cook also

teaches automatically identifying a set of regions in which swap visual content is to be displayed

later by a viewing application in place of viewing visual content when a trigger event occurs

during execution of the viewing application in col. 3 lines 1-28. Brown teaches automatically

generating visual content in fig. 1-2, the abstract, col. 2 line 34 – col. 3 line 42, and col. 4 line 39

– col. 6 line 45. Brown does not teach copying the base visual content to intermediate visual

content. Cook teaches a multi-object interactive web page including authoring software for

manipulating it which would have allowed receiving input edits to the intermediate visual

content.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have used the multi-level graphics grouping taught by Brown and the multi-object

interactive web page content taught by Cook to have implemented intermediate visual content to

have generated swap visual content. It would have been obvious and desirable to have classified

some of the objects as intermediate content object to have created dynamic visual content which

could have been used to have created dynamic portions of a web page in response to user trigger

events in addition to static portions of the web page. It would have been obvious and desirable

to have used Cook to have copied the base visual content to intermediate visual content to have

received input edits to the intermediate visual content. The intermediate content object

combined with the base visual content would have allowed the user to have implemented an

interactive page which would have changed content in certain areas of the page in response to

user initiated trigger events. Cook provides motivation to create a dynamic web page in response

to user initiated trigger events in col. 2 lines 10-58.

Regarding independent claim 35, Brown teaches receiving as an input base visual

content in col. 2 lines 58-60. Brown teaches automatically generating visual content from the

base visual content, each region of the viewing visual content having a corresponding region in

the base visual content in fig. 9-11, the abstract, and col. 13 line 21 – col. 15 line 4. Brown

teaches automatically identifying a set of regions in which swap visual content is to be displayed

by a viewing application in place of viewing visual content when a trigger event occurs during

execution of the viewing application in col. 3 lines 1-28. Brown teaches automatically

generating swap visual content in fig. 9-11 and col. 13 line 21 – col. 15 line 4. Brown teaches

generating interactive visual content, the interactive visual content comprising the viewing visual

content and the swap visual content in fig. 9-11, the abstract, and col. 13 line 21 – col. 15 line 4.

Brown does not explicitly teach intermediate visual content, but the multi-level graphics

grouping could be used as intermediate visual content. Furthermore, Cook teaches combining

multiple content objects triggered by events to create interactive web page content in fig. 1-2, the

abstract, col. 2 line 34 – col. 3 line 42, and col. 4 line 39 – col. 6 line 45. Cook also teaches

generating viewing visual content from the base content for display by a viewing application in

fig. 1-2, the abstract, col. 2 line 34 – col. 3 line 42, and col. 4 line 39 – col. 6 line 45. Cook also

teaches automatically identifying a set of regions in which swap visual content is to be displayed

later by a viewing application in place of viewing visual content when a trigger event occurs

during execution of the viewing application in col. 3 lines 1-28. Brown teaches automatically

generating visual content in fig. 1-2, the abstract, col. 2 line 34 – col. 3 line 42, and col. 4 line 39

– col. 6 line 45. Brown does not teach copying the base visual content to intermediate visual

content. Cook teaches a multi-object interactive web page including authoring software for

manipulating it which would have allowed receiving input edits to the intermediate visual

content.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have used the multi-level graphics grouping taught by Brown and the multi-object

interactive web page content taught by Cook to have implemented intermediate visual content to

have generated swap visual content. It would have been obvious and desirable to have classified

some of the objects as intermediate content object to have created dynamic visual content which

could have been used to have created dynamic portions of a web page in response to user trigger

events in addition to static portions of the web page. It would have been obvious and desirable

to have used Cook to have copied the base visual content to intermediate visual content to have

received input edits to the intermediate visual content. The intermediate content object

combined with the base visual content would have allowed the user to have implemented an

interactive page which would have changed content in certain areas of the page in response to

user initiated trigger events. Cook provides motivation to create a dynamic web page in response

to user initiated trigger events in col. 2 lines 10-58.

Response to Arguments

5.   Applicant's arguments filed 2/6/2004 have been fully considered but they are not

persuasive. Regarding Applicant's argument on pages 11 and 12 that Brown does not teach

identifying regions in which swap visual content is to be displayed, the Examiner notes that

Brown teaches in the cited section of col. 3 lines 1-28 that a customized procedure for opening a

or closing a graphical display may be invoked by a trigger event such as a mouse event including

a mouse button down, a mouse move with a button down, a mouse move with no button down,

or a mouse button up. The customized procedure initiates a change in a graphical display which

the Examiner interprets as substituting the display of swap visual content in place of visual

viewing content. The Examiner believes the cited passage continues to read upon the more

explicit claim limitation.

Regarding Applicant's argument on page 12 and 13 that the amended claim 1 has the

limitation that each region of the viewing visual content ahs a corresponding region in the base

visual content and that each region of the intermediate visual content has a corresponding region

in the viewing visual content. The Examiner has additionally introduced the reference of Cook

which teaches a web page including both static regions and dynamic regions, the dynamic

regions exhibiting graphical display changes, the changes being initiated by user trigger events.

The Examiner believes Cook teaches the claimed relationships of the base, intermediate, and

viewing visual contents.

Regarding Applicant's argument on pages 13 and 14 that Brown fails to teach generating

a viewing image file or generating a swap image file, the Examiner believes the cited passage of

col. 5 line 60 – col. 6 line 17, reproduced by Applicant, is a description of the graphical objects

created and used by the invention disclosed by Brown. The graphical objects each contain a

name, an event type, and a procedure. The Examiner believes the graphical objects of Brown are

viewing image files. The event type and procedure associated with the graphical object

determines what kind of object it is. The functionality of the object could cause it to appear on

the user display in response to an event, thus qualifying it as a swap image file.

Regarding Applicant's argument on page 14 that Brown does not teach determining if the

corresponding section of base visual content visually differs from that section of the intermediate

visual content, the Examiner believes the procedure associated with the graphical object could

have been used to have determined how graphical object compared to another graphical object.

Regarding Applicant's argument on page 14 that Brown does not teach providing an user

interface enabling a designer to edit intermediate visual content as an integral unit, the Examiner

notes that the graphical objects of Brown may be edited and that the intermediate visual content

is established in the independent claim via obviousness.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. Gennaro et al., US 5,742,768 patented 4/21/1998 discloses providing and displaying

a web page having an embedded menu. The menu is displayed in response to a user initiated

mouse trigger event. Guedalia, US 6,121,970 filed 11/26/1997 discloses enabling a user to

interactive view a digital image on an HTML page. The invention divides an HTML page into a

variety of sub-regions and determines which sub-region the user on the client computer selects.

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Peter J Smith whose telephone number is 703-305-5931. The

examiner can normally be reached on Mondays-Fridays 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph H Feild can be reached on 703-305-9792. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER

PJS
4/19/04